

**PLANNING AND ZONING COMMISSION
MINUTES
PUBLIC HEARING
October 5, 2004**

PLACE: Room 119
Town Hall

TIME: 8:00 P.M.

PLANNING AND ZONING COMMISSION MEMBERS ATTENDING:
Damanti, Conze, Spain, Forman, Kenny, Bigelow

STAFF ATTENDING: Ginsberg, Keating
COURT REPORTER: Gayle Beler

Chairman Damanti called the meeting to order at 8:00 p.m. in Room 119 of the Darien Town Hall. He then read the first agenda item.

Coastal Site Plan Review #186-B, Flood Damage Prevention Application #198-B, Denis & Jennifer Manelski, 11 Pratt Island. Proposing to raze the existing residence, garage and greenhouse, and construct a new residence on the existing foundation with an addition, a garage, and a swimming pool, and perform related site development activities within regulated areas. The subject property is located on the south side of Pratt Island approximately 1,150 feet south of the intersection of Nearwater Lane and Baywater Drive, and is shown on Assessor's Map #55, as Lots #121 & #122 in the R-1 Zone.

Attorney Robert Maslan represented the applicants and explained that the proposed redevelopment of the property had been previously reviewed and approved by the Planning & Zoning Commission. That decision was appealed by a neighboring property owner and discussions have taken place between the two neighbors to try to resolve the litigation. They have revised the plans in accordance with those discussions and will resolve the litigation once all local approvals have been obtained. Attorney Maslan said that they have not yet obtained a variance from the Zoning Board of Appeals with respect to the lot and the zoning requirements for setbacks from the property lines to the building. He submitted photographs of the site.

Attorney Maslan said that the revised plans are to push the proposed building 5 feet farther back from Long Island Sound by reducing the size of the connector between the garage and the main house. The wrap-around porch has been modified to comply with the 25 foot setback requirement as previously approved by the Zoning Board of Appeals (ZBA). Attorney Maslan said that they have submitted a drainage report indicating that the proposed development complies with all Flood Damage Prevention Regulations. He asked that the record of the previous application be brought forward and incorporated into the current file. He said that they have reached an agreement with the neighbor (Mills) who had filed the appeal of the last approval granted by the Planning & Zoning Commission.

Mr. Spain said that the current proposal is the subject of a Zoning Board of Appeals application that is pending at this time and is scheduled to be decided later this month. He asked about the status of the appeal and lawsuit if the Zoning Board of Appeals approved the variance. He asked if the case would be mooted or withdrawn. Mr. Maslan said that they will work on resolving that question.

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Director of Planning Jeremy Ginsberg said that the Connecticut Department of Environmental Protection has reviewed the proposal and indicates that they have no comment for the Planning & Zoning Commission about the coastal area management aspects of the project. The Commission members agreed that it would be necessary to continue the public hearing so that the decision of the Zoning Board of Appeals can be incorporated into the record of the Planning & Zoning Commission. The following motion was made: that the public hearing regarding this matter be continued on October 26, 2004. The motion was made by Mr. Bigelow, seconded by Mr. Kenny and unanimously approved.

Chairman Damanti read the following agenda item:

Business Site Plan #154-A/Special Permit, Number 870 Boston Post Road LLC, 870 Boston Post Road. Proposing to construct a two-story addition to the existing office building and perform related site development activities. Subject property is located on the southeast side of Boston Post Road, approximately 40 feet west of its intersection with Mansfield Avenue, and is shown on Assessor's Map #71 as Lot #7, CBD Zone.

Project architect Michiel Boender represented the applicants and explained that the existing building is a white, traditional style, two story office building. The first floor is a chiropractic office and the second floor is a variety of professional offices. He said that they are proposing to construct a 700 square feet addition on the left (east) side of the building. Each new floor would contain an additional 350 square feet. He reviewed the parking lot conditions and noted that there is sufficient parking on the site to accommodate the 700 square feet addition. He said that the parking on site is sufficient for an office use (one space per 250 square feet of floor area), but is not sufficient to comply with the regulations with respect to a retail sales use (one space per 100 square feet of floor area). He said that it is not viable to convert the existing floor space or to make the new space retail businesses because more parking spaces would be required and cannot fit on the site.

Director of Planning Jeremy Ginsberg reviewed Section 654-d of the Zoning Regulations which required Special Permit approval from the Planning & Zoning Commission to establish office use on the first floor of a building in the Central Business District. The existing office on the first floor of this building was established as a result of a court case. The applicant is required to demonstrate that the proposed addition is impractical, inconsistent or undesirable to have as retail space per the standards of Section 1005 of the Zoning Regulations.

Commission members reviewed the plans. There were no comments from the public. The following motion was made: that the Commission close the public hearing regarding this matter. The motion was made by Mr. Spain, seconded by Mrs. Forman and unanimously approved.

Chairman Damanti read the following agenda item:

Special Permit Application #66-J, Darien YMCA, 2420 Boston Post Road. Proposing to replace existing racquetball and squash courts with group exercise rooms; replace and upgrade mezzanine in Wellness Center; enlarge and upgrade parking lot; amend operating hours; and perform related site development activities. Subject property is located on the south side of Boston Post Road,

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approximately 520 feet east of its intersection with Weeds Landing, and is shown on Tax Assessor's Map #53 as Lot #60, R-1/2 Zone.

Attorney Robert Maslan introduced various representatives of the YMCA including Jim Schell, President of the YMCA Board of Directors, and Patrick Morrissey, Executive Director at the YMCA. Mr. Schell said that he joined the YMCA Board 12 years ago at approximately the time that the YMCA had an application pending before the Planning & Zoning Commission. He said that the YMCA had neglected to be a good neighbor and had neglected to comply with the Planning & Zoning Commission Regulations regarding previous approvals. As a result of that and other things, they fired the previous Executive Director and, since then have paid a great deal of attention to comply with the rules, regulations and neighborly relations. He said that they have taken gymnastic activities off of the Post Road site and moved that entire program to the Goodwives Shopping Center location. He also noted that the Senior Mens' Association now meets at a different location and therefore, the Friday morning parking problems previously experienced during their meetings do not reoccur. He said that even with the efforts of the YMCA, they believe that the existing parking lot is undersized, just as they thought it would be. People still need to park on the Boston Post Road to attend regularly scheduled activities at the YMCA. He said that this is dangerous and part of their application is to expand the parking lot to eliminate this type of problem.

Attorney Maslan said that they have obtained approval from the Architectural Review Board and submitted a letter dated September 7, 2004 regarding the design of the building. He submitted photographs of the existing site conditions.

Executive Director of the YMCA, Patrick Morrissey, said that they are fortunate to be located on such a beautiful property overlooking Holly Pond and that the current proposal will not increase membership or intensify the uses of the site. They want to provide safer facilities for the existing members and have met with the neighbors on several occasions to discuss the proposal and any concerns that the neighbors may have. By expanding the on-site parking lot, they will be eliminating the need for Boston Post Road parking at peak traffic times (as it frequently occurs when the peak use of the YMCA occurs).

Architect Chris McCabe reviewed the proposed interior alterations of the application. He said that the Wellness Center is being modified by adding a mezzanine level to create additional floor space for exercise equipment. This will allow the existing free weights and exercise equipment to be spread out over a greater floor area. The second modification is to convert the squash and racketball courts into exercise areas and install a floor within the overly tall space. This will create more floor area without changing the footprint or volume of the building. They also plan to add windows to the upper level of the Wellness Center, however, the roof elevations will remain the same. He said that they are adding 1,450 square feet to the Wellness Center and 3,140 square feet to the aerobics studio to be created in the squash and racketball courts. At present, the building contains approximately 57,000 square feet of floor area. The modifications will be approximately 4,600 square feet of the new floor area.

Gil Wheelis of Environmental Design Associates said that his firm was asked to design the site modifications that will result in another 50 parking spaces. They propose to add another double-loaded aisle of parking spaces on the east side of the site and are also making smaller changes to the

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existing parking aisles. The new parking spaces will be at least 45 ft. from the easterly property line. He noted that a 25 foot minimum buffer area is required by the Regulations. Within the 45 foot buffer space, they will be adding pine trees around the existing maple trees to provide sufficient vegetated buffer. They will be removing some smaller trees to allow sunlight to enter the buffer area to facilitate the growth of the new evergreen trees. Mr. Wheelis noted that they have left the planted islands between the existing parking aisles in order to maintain the residential character of the area. Removing the planted islands would allow the parking spaces to be closer together and they might be able to fit more parking spaces, but it would look more like a commercial development.

Mr. Wheelis said that the existing two way driveway is currently located on the west side of the property. It will remain as an entrance driveway. A new exit driveway will be created on the east side of the site. It will not be an entrance, it will only be an exit to the Post Road. Mr. Wheelis said that the new parking spaces being created are the farthest from the entrance doors to the YMCA and therefore, they will be the least likely to be used. The buffer area between the new parking spaces and the neighbors will contain the existing deciduous trees, new evergreen trees, and a fence along the property line for more efficient noise deflection. He said that if the neighbors or Commission want more trees, they could add additional trees and shrubs such as arborvitae to the new buffer area.

Pat Morrissey, Executive Director at the YMCA, said that at the busiest times, there are 35 employees at the YMCA. In the past, he has had 15 of the professional staff park several hundred feet away, across the street at the Christian Science Church parking lot, but during the winter months and in rainy weather, that proved to be undesirable and unsafe because the employees would have to walk along the Boston Post Road and cross the busy street. He said that with the addition of 50 new parking spaces he could require the employees to park in those new spaces, the ones that are most remote from the entrance doorways. Those parking spaces would be less transient traffic because the employee would arrive, work their entire shift, and then leave rather than the parking space being used by different YMCA members each hour or so.

Mr. Damanti noted that October 26, 1995 Stipulated Judgment refers to the area that is now proposed to become permanent paved parking. The Stipulated Judgment notes that the area to the east of the (existing) parking area is not paved and that the curb cut from the Boston Post Road into the site was only used infrequently and very rarely.

Mr. Wheelis said that the proposed plan adds 50 parking spaces which brings the total number of on-site parking spaces to 196.

Holt McChord, Professional Engineer, said that under the old plan which has been implemented storm drainage has been piped to an underground collection and infiltration system. That infiltrator system has an overflow which allows extra water to run to Holly Pond. That system was designed to handle a one inch rain storm without having any overflow. The additional parking lot would have its own storm drainage system that has been designed to handle a one inch rain storm. The YMCA will continue the maintenance program that involves cleaning of the catch basins and infiltrator system at least three times per year.

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Mr. McChord said that the Coastal Area Management resources on the sites are upland coastal shore resources and all of the proposed work is above the expected flood elevation. He said that there will be no impacts to the flood zone nor to coastal resources due to the proposed parking lot expansion.

Donald Tone, Jr., Traffic Consultant from F.P. Clark Associates, referred to his August 2004 Traffic and Parking Report. He said that there was extensive traffic and parking counting, observation, and study. He reviewed the graphs of the parking demand for the 146 parking spaces now on the YMCA site. He said that at peak times there are not enough parking spaces on the site to accommodate all the members wishing to utilize the facilities. At peak times, cars are frequently parked on the grass, in non-parking areas, on the Boston Post Road, and in fire lanes designated within the paved portions of the site. He said that 50 more parking spaces will make a big difference to satisfy the parking demand. He said that the second curb cut will make it safer and easier to utilize the existing facilities. The new curb cut would be more than 200 feet away from Gardner Street. The existing curb cut will be converted to an entrance only and the new curb cut will be an exit only.

Mr. Conze asked if there were any program changes since the last proposal to the Commission almost a decade ago. Executive Director Pat Morrissey said that there had been no changes in the enrollment of the programs. He said that when Moms drop their children off at the nursery school, they frequently like to use the Health Center. He said that the Y tries to stagger the start and ending times of various programs so that all of the programs do not begin at the same time nor end at the same time. He said that the morning nursery time is more popular than the afternoon session of the nursery school and that the YMCA has made a great effort to move programs off-site. He gave the examples that the 250 children who used to enjoy summer camp at the YMCA are now at off-site facilities. The entire gymnastics program, which involves 900 children, is located at the Goodwives Shopping Center and not at the Boston Post Road facility of the YMCA. He also mentioned that the Senior Mens' Association no longer has their big Friday morning meetings at the YMCA and that a basketball program involving 92 teams is run by the YMCA but is operated at the various schools throughout Town. Mr. Morrissey said that 80 to 90% of the parking is due to the nursery school.

In response to questions, Mr. Morrissey said that the hours of operation are currently 6:30 a.m., with the exception that the high school swim team can start practice at 5:45 a.m., and they are asking to have that changed so that the YMCA would open at 5:30 a.m. for general membership. They are also asking that the YMCA be allowed to open up at 8:00 a.m. on Sunday morning. He said that in surveys of membership, they find that the three top complaints are: insufficient parking; not enough pool time; and the hours of operation.

Attorney Robert Maslan said that the previous application specified a maximum of 7,300 members. At present, there are 5,733 members. This is due to the fact that many of the activities are now conducted at off-site locations and the existence of the Equinox private health club on Heights Road. Mr. Maslan said that the fence proposal on the east side boundary line could be increased to be 8 feet tall, if desired by the Commission. The Regulations allowed for an 8 foot high fence to separate a Special Permit use in the residential zone from a single family residential structure. He said that the only reference that he could find in past approvals of the Planning & Zoning Commission for the use of the east side of the site was that it was limited access in use because the Town's sewer pump station was located in that area.

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Mr. Spain said that the facilities are proposed to change and, in fact, the building square footage is proposed to be expanded. He asked how this will affect the parking demand from the same number of members. Mr. Morrissey said that parking has not been adequate for the past eight years (since the 1995 Stipulated Judgment) and that the additional square footage of floor area is to spread out existing equipment and programs, not to increase the programs. Mr. Spain asked to what extent the increase in floor space will increase the parking demand. Don Tone said that it is not the parking that generates the traffic, it is the land use and the programs that generate the need for parking. He said that the increased floor area will provide more flexibility to the YMCA with respect to spreading out its equipment and programs and increasing the number of parking spaces will provide more flexibility to the existing members who want to use those facilities and programs.

In response to questions, Mr. Morrissey said that the existing Wellness Center has approximately 4,350 square feet of floor area and a capacity of 58 people. They propose to create an additional 1,450 square feet of floor area in the Wellness Center. The architect said that they would be adding newer, bigger equipment and relocating the existing equipment rather than increasing the number of people that could use the equipment.

There was a discussion about the aerobics area. It will increase in size by approximately 2,433 square feet. Commission members noted that the two existing courts could accommodate no more than 8 people playing at any given time. If that existing floor area is converted to an aerobics area, there might be 8 or 10 or more people in the class plus the instructors. If the floor is installed as designed (to take advantage of the extremely high ceiling within the court areas), this will allow an additional class of 8 or 10 or more persons plus the instructor. Mr. Spain said that by his approximations, 24 to 30 additional people could be using the expanded facilities at the peak times due to the increases in floor area. He wondered what this would do to the need for on-site parking and if the addition of 50 more parking spaces would only be enough to accommodate the existing parking demand or, if it would accommodate the potential increased parking demand.

In response to a question, Mr. Morrissey said that the mission of the YMCA is to meet the ever changing recreational needs of the community and, in a broader sense, to improve body, mind and spirit of individuals and the community.

Bill Atkinson of 2390 Boston Post Road said that he is the adjoining property owner to the east. He said that the applicants have represented that the proposed exit driveway will be 200 feet from Gardiner Street, but he calculates that it would only be approximately 150 feet from Gardiner Street. He asked why the applicants have not already consulted with the Connecticut Department of Transportation regarding the proposed location of the exit driveway.

Mr. Atkinson said that noise has not been a big problem since the summer camp has been eliminated, but the expansion of the parking area closer to his house could re-create a noise problem. He read from his letter about the fact that the maximum occupancy and capacity of the site within the residential area had long since been reached and should not be expanded or extended and the fact that the neighbors thought that the expansion had been ended with the settlement of the lawsuit in 1995 and that the on-site parking at the YMCA has been expanded many times over the years yet the YMCA continues to expand programs and activities beyond the capacity of their existing parking facilities. Mr. Atkinson also said that the tree information on the submitted plans is

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outdated and incorrect. He said that parking on the Boston Post Road should not be encouraged but it is recognized that it occurs for special events such as the 13 Special Events listed on the 2004 list submitted by the YMCA and approved by the Planning & Zoning Commission. He said that the parking problem has improved considerably since 1995 and that since the YMCA controls their own schedule and can control the usage of their spaces, they can control the parking demand. He said that the YMCA hours of operation have continuously expanded and that the Commission needs to remember that the facility is located in a residential zone, not a commercial area. He said that the 1995 Stipulated Judgment to settle the litigation specified the hours of operation and should be maintained. He said that he has had a good relationship with Mr. Morrissey but there are fundamental differences about the potential expansion of the YMCA.

Attorney Stephen Pierson represented Mr. & Mrs. Wright who own property on Seagate Road. Chairman Damanti said that he shares office space with Attorney Pierson and did not realize that Attorney Pierson would be appearing to represent an adjacent owner. Mr. Damanti said that he sees no direct conflict of interest and would continue to sit on this matter unless anyone objected to his continued participation. No one objected. Mr. Pierson explained that the Wrights own property to the east of the YMCA but they are in Texas at the moment. He said that the proposed plan would expand the on-site parking by approximately one-third. He said that expanding the parking area would leave no place for the neighbors to retreat from the large number of people and activities at the YMCA. He noted that the number of members at the YMCA is not the same as the intensity of the use and that if there is a demand for the program, the YMCA will try to accommodate that demand. He acknowledged that the YMCA does try to respond to the desires of the community as a whole but, unfortunately this impacts the immediate neighbors more than the rest of the community. He said that even adding 50 parking spaces will not satisfy the demand for special events and all the future peak needs of the YMCA. He asked the Commission to consider the needs and the rights of the neighbors before allowing any expansion of the parking area or intensification of the use of the YMCA facilities. He stressed that the Commission needs to balance the impact on the neighbors and the desires of the YMCA to continue to expand within the residential zone.

Doug VanPeters of Weeds Lane said that he is a member of the YMCA and a neighboring property owner. He said that the YMCA should not eliminate the vacant land and that they should manage their parking better to allow just one car per family to come to the parking lot. He said that the Boston Post Road is very busy and should not be used for parking. He noted that many people exiting the YMCA site are very reluctant to stop at the stop sign at the egress driveway. This creates for unsafe situations.

Mrs. Atkinson of 2390 Boston Post Road said that she lives next door and read from her letter dated October 5, 2004. She said that the new exit driveway near Gardiner Street is also near a bus stop and will actually increase rather than lessen the likelihood of an accident.

A young woman from 8 Christie Hill Road spoke and said that she is a resident of Darien and a member of the YMCA. She said that parking on the Boston Post Road and unloading children or a baby from a car parked on the Boston Post Road is very dangerous. She said that if there is increased parking on the site, it will substantially improve safety. Extending the hours of operation will allow she and others who would like to work out earlier to use the facilities at an earlier hour and therefore lessen the congestion during the peak times.

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Sheila Shaker of 9 Seagate Road, said that the YMCA is continuing to chip away at the previously approved limitations. They want more and more parking in order to have more and more activities and uses at the site and that this is detrimental to the neighboring property owners. She noted that windows that face the pond were required at one time to have shades drawn so that light would not be cast from the YMCA building toward the residential neighbors across the pond. She said that these window shades are seldom operational or closed and it is not unusual for lights from the YMCA building to be noticeable to residential properties on the other portions of Holly Pond. Now the YMCA is proposing six new windows on the east side of the buildings facing the neighbors on Seagate Road. She asked the Commission to deny any additional windows because they would substantially impact her and the other immediate neighbors. She noted that she and her husband have gone through various application procedures to comply with regulations to make improvements to their home and property and the YMCA has already expanded the nature of their use and the physical facilities on their site many times in the past.

A gentleman from 2 Weed's Landing said that he move to Darien because it is a great community but noted that 30 to 40% of the members of the YMCA are not residents of Darien. He said that perhaps part of the parking problem could be resolved if more of the members of the YMCA were Town residents and therefore did not have to drive to the site.

John Shaker of 9 Seagate Road asked how often the YMCA could come back to the Commission for more and more changes. He said that in 1995 there was a stipulated agreement to deal with parking limitations and the employees would be parking across the street. Now the employees are parking on the site and that 35 of the new 50 parking spaces would be occupied by employees. He said that the proposed windows on the east side of the building would let noise and light intrude into the neighborhood and should not be permitted. He said that in meetings with representatives of the YMCA, they would be willing to eliminate the proposed windows on the east side of the building.

Carol Glassmeyer of 4 Cove's End Road said that she is the mother of a nursery school child in the morning session. There is frequently a problem with unloading of the children and adding 50 parking spaces on the site would make it much safer for parents and children.

In response to comments from neighbors, Traffic Consultant Donald Tone said that the new driveway would be at least 150 feet away from the property line and therefore would be close to 200 feet from the intersection with Gardiner Street. He said that there is only a traffic conflict if the street and driveway are within 100 feet of each other. He said that they have not yet consulted with the Department of Transportation (DOT), which has jurisdiction over the Boston Post Road, U.S. Route 1, because of the DOT's time and resources. The DOT wants to wait until local approvals have been obtained before they consult on the proposed traffic pattern.

Attorney Maslan said that with respect to 1994/95 application, parking is not available on both sides of the Boston Post Road today as it might have been at that time. He showed photographs indicating that when someone parks in the south side of the Boston Post Road, they are actually parking somewhat in the travel lane or on the grass shoulder. Pat Morrissey said that the D.O.T. has posted no parking signs within 20 or 25 feet of the entrance/exit driveway to allow for safer passage of vehicles into and out of the site. Mr. Tone said that the State does allow parking on both sides of the Boston Post Road. Attorney Maslan said that there have been accidents on the Boston Post Road and getting more cars parked on the site will be safer. He said that with respect to the

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windows, if the Commission prefers no windows on the east side of the building, then the YMCA will abide with that limitation. With respect to windows on the south side of the building (facing Holly Pond), they are recessed so that no light spills sideways toward the nearby neighbors.

Mr. Damanti said that many reasons given now for the proposed expansion of the parking area and modifications of the building are similar to those that were discussed and acted upon in 1994/95. The result of that previous application was the 1995 Stipulated Judgment. The expansion of the hours would appear to be contrary to that Stipulated Judgment that specified the hours of operation and placed limits on those operations for the Special Permit use that is located in a residential zone.

Mr. Conze said that there are two separate proposals before the Commission. The first is to expand the parking area and the second is to modify the building and expand the floor area by taking spaces that are approximately 20 foot high and creating an additional floor between the existing floor and the ceiling. He said that the YMCA is a community asset and either the YMCA needs to cut back on the programs or time them differently to make sure the parking demand is accommodated on the site. The Commission members discussed the possibility of continuing the public hearing so that the YMCA could provide more detailed answers regarding the potential increase and the parking demand that might be created by the increase in floor area. Mr. Maslan noted that if the YMCA wants to change or update, they must come back to the Planning & Zoning Commission and that not allowing a use would be tantamount to a taking of property rights. The Commission members decided that they would continue the public hearing on October 12 at 8:00 p.m. so that the YMCA could provide more detailed information about the impact of the proposed floor expansion on the parking demans.

Chairman Damanti read the following agenda item:

Special Permit Application #15-J, Wee Burn Country Club, 410 Hollow Tree Ridge Road. Proposing to demolish and replace current maintenance structures and perform related site development activities. Subject property is located on the north side of Hollow Tree Ridge Road, approximately 100 feet north of its intersection with Hanson Road, and is shown on Tax Assessor's Map #7 as Lot #66, R-2 Zone.

Attorney Robert Maslan said that they have sent notices to the neighboring property owners about the public hearing but the Environmental Protection Commission (EPC) has not yet rendered a decision about the proposed activities within their jurisdiction. He asked that the Planning & Zoning Commission continue the public hearing on October 26, 2004 so that the EPC's decision could be incorporated into the Planning & Zoning Commission record. The following motion was made: that the public hearing regarding this matter be continued on October 26, 2004. The motion was made by Mr. Kenny, seconded by Mr. Bigelow and unanimously approved.

Chairman Damanti read the following agenda item:

Special Permit Application #60-H, Country Club of Darien, 300 Mansfield Avenue. Proposing to demolish two existing maintenance sheds and to construct two new maintenance buildings and perform related site development activities. The subject property is located on the east side of Mansfield Avenue, approximately 1,250 feet south of its intersection with Middlesex Road, and is shown on Assessor's Map #5 as Lot #40, R-2 Zone.

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Attorney William Hennessey represented the Country Club of Darien and briefly explained that the proposal involves demolition of the maintenance buildings and construction of two new maintenance buildings on the southeast side of the property. The buildings will be located between the 15th green and 16th tee in the same general area as the existing maintenance buildings are presently located. Access to the maintenance buildings is through the golf course property and also from a driveway from Brookside Road. That driveway is shared by a single family residence at 215 Brookside Road. Mr. Hennessey said that the two metal green buildings are now obsolete and will be removed. They were not designed to meet today's standards for the handling or storage of fertilizers and chemicals. Two new larger buildings are proposed and they will be located farther from the wetlands than the existing buildings. The buffer area and wetlands that have been disturbed in the past will be restored and a Permit from the Environmental Protection Commission has already been obtained. That Permit is listed as EPC #37-2004 and was granted on September 15, 2004.

Mr. Hennessey submitted photographs of the existing site conditions and reviewed elevation drawings of the proposed new buildings. At present, the two buildings have a total of approximately 6,000 square feet of floor area. The proposed buildings will have approximately 12,000 square feet of floor area. This will allow much of the operations to be conducted inside the buildings rather than exterior. It also allows for the larger equipment to be stored within the buildings. Of the two proposed buildings, the smaller building will be the employee locker room and other active uses by the employees while the larger building will be mostly storage. Mr. Hennessey explained that the cupolas originally included in the design of the buildings have been deleted and a fieldstone skirt around the base of each building has been added to give the buildings a more natural appearance.

Tim O'Neill, Superintendent of Grounds at the Country Club of Darien, explained that the generator proposed in one of the buildings will be for emergency use only. He also said that the underground fuel tank is for heating oil for the buildings. The above ground storage tanks for gasoline and diesel fuel will be relocated. The gasoline tank will hold 100 gallons and the diesel fuel tank will hold 500 gallons. Project Engineer John Pugliese said that the tanks will be relocated to be farther away from the wetlands and that the storage activities and lawn extending into the wetlands will be eliminated. Again he referred to the EPC approval.

Charles Douglas explained that he owns a parcel of property to the east of the Country Club of Darien.

Chairman Damanti explained that he had represented Mr. Douglas in the past, when Mr. Douglas developed and sold an adjacent building lot, but does not presently represent Mr. Douglas. He did not think that there was a conflict of interest and said that he would render a fair and impartial decision on this matter. He volunteered to recuse himself from further participation in this matter if anyone thought that there was a conflict of interest. No one objected to his continued participation. Mr. Douglas explained that his parcel of land is actually an open space parcel and is mostly wetlands. He is concerned about the potential impacts of any fuel or chemical spills and how they might negatively affect the adjacent wetlands. He said that the maintenance facilities are almost like a gas station with respect to the way they conduct maintenance of the vehicles and store

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equipment outside. He said that washing of vehicles takes place outside and is allowed to drain into the storm drainage system that discharges the water into the wetlands and the ground water. He said that the facilities should be properly designed to handle the chemicals and fuel oils that are necessary for the operation of the golf course.

Tim O'Neill reviewed the floor plans of the larger building and said that it includes a chemical storage area and a mixing and handling area, as well as a vehicle washing area, all to avoid having any impacts on the adjacent wetlands or other properties. He said that the chemical storage area is a pre-built building within the proposed larger building. Spray equipment and other equipment that handles chemicals will be stored within this building and the drains from the chemical handling area go into a waste storage tank rather than into the wetlands or ground water. Sump drains in the washing area also drain into a separate waste water management system where carbon filters are used to cleanse the water before it is discharged. Mr. O'Neill said that he is one of three licensed supervisors for handling of chemicals employed by the Country Club of Darien. He said that receipt of chemical materials will be handled similar to the way that it has been in the recent past. Since most of the chemicals are in very concentrated form, they seldom receive large 55 gallon drums, instead it is 3 to 5 gallon specialized plastic containers that are delivered from a small truck or van. Chemicals and other materials of that nature are immediately brought inside the building or the truck could back into the larger of the two storage buildings.

Mr. Douglas said that he had questions and concerns about the sump and the recycling system but, in general he was very happy with the improvements to protect the environment. Mr. O'Neill said that he and the other licensed handlers of chemicals are constantly receiving continuing education necessary for license renewal on the latest methods of environmental protection and proper management of chemicals used on the golf course.

There were no further questions or comments from the public. The following motion was made: that the Commission close the public hearing regarding this application. The motion was made by Mr. Conze, seconded by Mr. Spain and unanimously approved.

There being no further business, the meeting was adjourned at 11:35 p.m.

Respectfully submitted,

David J. Keating
Assistant Director of Planning